

REMARKS

Initially, applicants would like to express their appreciation to Examiner Kerri M. Dyke for the courtesies extended to attorney James Milton during a telephone interview on November 17, 2005. The telephone interview involved a discussion of the rejection of claim 1 under 35 U.S.C. § 102(b). Examiner Dyke agreed that the rejection of claim 1 could be overcome if the claim 1 limitation referring to "a first set of resources" and "a second set of resources" was amended to indicate that "a first set of resources" and "a second set of resources" are different.

Claims 1-17 are pending in the application. Claims 11-15 were rejected under 35 U.S.C. § 112. Claims 1-6, 8, and 11-15 were rejected under 35 U.S.C. § 102(b). Claims 7, 9, and 16-17 were rejected under 35 U.S.C. § 103(a). The drawings were objected to.

Objection to the Drawings

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(5) because they include reference characters "611" and "623" not mentioned in the description.

Applicants have responded by amending the specification at page 11 to include references to reference characters "611" and "623", as shown in FIG. 6.

Rejection Under 35 U.S.C. § 112

Claims 11-15 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants have responded by amending claims 11 and 12 to provide proper antecedent basis for the term "the distribution".

Rejection Under 35 U.S.C. § 102(b)

Claims 1-6, 8, and 11-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Number 4,491,947 issued to Frank on January 1, 1985.

Applicants have avoided this ground of rejection for the following reasons.

Applicants' claim 1, as amended, now recites, "based on the measure of the plurality of calls, allocating to the at least one circuit-switched call a first set of resources from a plurality of resources between the local switch and a network switch and allocating to the at least one packet-switched call a second set of resources from the plurality of resources between the local switch and the network switch, and wherein the first set of resources and the second set of resources are different".

Frank does not teach this limitation. Instead, Frank discloses a technique for scheduling circuit-switched and packet-switched traffic in a multibeam satellite switched TDMA environment, as stated in column 3, lines 15-23. Frank's technique schedules requests for service, i.e., circuits and packets, from each zone to each zone for a frame at a time. However, Frank's arrangement does not make a distinction between allocating resources for circuit traffic and allocating resources for packet traffic, as recited in applicants' claim 1. This can be seen from the fact that Frank's primary motivation for integrating circuit and packet switching in a single communications system is to achieve economy by sharing transmission and switching equipment, and more efficient bandwidth and transponder utilization by means of dynamic scheduling, as stated in column 5, lines 21-27. Furthermore, Frank has a frame available for either circuit or packet assignments, as stated in column 5, lines 52-56.

By contrast, applicants' claim 1 does make a distinction between allocating resources for circuit-switched calls and allocating resources for packet-switched calls. Specifically, applicants' claim 1 requires allocating one type of resource for circuit-switched calls and allocating another type of resource for packet-switched calls, i.e., "allocating to the at least one circuit-switched call a first set of resources from a plurality of resources between the local switch and a network switch and allocating to the at least one packet-switched call a second set of resources from the plurality of resources between the local switch and the network switch, and wherein the first set of resources and the second set of resources are different", as recited in applicants' claim 1. Thus, Frank is missing the "two types of resources that are different" as recited in applicants' claim 1.

In view of the foregoing, applicants submit that Frank does not describe each and every element of claim 1, and therefore claim 1 is not anticipated by Frank. Since

claims 2-6 and 8 depend from allowable claim 1, these claims are also allowable over Frank.

Independent claims 11 and 16 each have a limitation similar to that of independent claim 1, which was shown is not taught by Frank. For example, claim 11 recites, "wherein the at least one circuit-switched call is allocated a first set of resources from the plurality of resources and the at least one packet-switched call is allocated a second set of resources from the plurality of resources, and wherein the first set of resources and the second set of resources are different" and claim 16 recites "wherein the circuit-switched calls are allocated a first set of resources from the plurality of resources and the packet-switched calls are allocated a second set of resources from the plurality of resources, and wherein the first set of resources and the second set of resources are different". Frank does not teach these limitations for the above-mentioned reasons. Therefore, claims 11 and 16 are likewise allowable over Frank. Since claims 12-15 depend from claim 11, and claim 17 depends from claim 16, these dependent claims are also allowable over Frank.

Rejection Under 35 U.S.C. § 103 (a)

Claims 7, 9, and 16-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frank in view of U.S. Patent Number 4,556,972 issued to Chan et al. on December 3, 1985.

Applicants respectfully traverse this ground of rejection.

This rejection is based on the rejection under U.S.C. § 102(b) being proper. As that ground of rejection has been overcome, and none of the cited references teach or suggest "allocating to the at least one circuit-switched call a first set of resources from a plurality of resources between the local switch and a network switch and allocating to the at least one packet-switched call a second set of resources from the plurality of resources between the local switch and the network switch, and wherein the first set of resources and the second set of resources are different", as recited in applicants' independent claim 1, and "wherein the at least one circuit-switched call is allocated a first set of resources from the plurality of resources and the at least one packet-switched call is allocated a second set of resources from the plurality of resources, and wherein

the first set of resources and the second set of resources are different" as recited in applicants' independent claims 11 and "wherein the circuit-switched calls are allocated a first set of resources from the plurality of resources and the packet-switched calls are allocated a second set of resources from the plurality of resources, and wherein the first set of resources and the second set of resources are different" as recited in applicants' independent claims 16, the combination of Frank with Chan does not supply this missing element. Thus, this combination does not make obvious any of applicants' claims, all of which require the aforesaid limitations.

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Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,



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